

To FCC:

NRCTV has operated a 2-way wireless broadband service in a rural area the past three years. For the past year we have been working to purchase two BTAs for several hundred thousand dollars. We have just had one BTA assigned to us and are at the end of the public notice period for the second BTA. We have already made non refundable down payments of approximately \$80,000 for equipment to construct the two sites we planned to license after getting the BTAs authorization. Needless to say, the unexpected FCC freeze on new applications has made garbage out of our business plan. The FCC, I am sure, means well in thinking that it would be a hardship for system operators to license their system one way and then have to change to another frequencies later. With the new rulemaking, I am fairly sure of which frequencies we need to use to stay in compliance with the future rules. What we need is licenses so we can compete with ADSL and Cable and we need them quickly. The playing field is not level to begin with, neither the ADSL or Cable have to pay the FCC for licenses as we have to. Now, after we have purchased the BTAs, at considerable cost, the FCC decides to keep us off the playing field altogether.

We also had plans for a high power booster site which we were about to license. Now that project will have to wait. We were in the talking stages with other entities for two other high power sites. These now will have to be put on hold. The distressing part of this situation is that the rural population to be served by these sites has no other choice for broadband service. In all cases the systems are more than 150 miles from any metro area which would go to 2G or 3G technology and are in very sparsely populated settings. Delaying the license grant appears to not be in any public interest. It also violates our basic property rights. We purchased BTAs originally auctioned off by the FCC. We bought the right to license any available frequencies within the BTA. Now we are denied that right.

The only common sense and reasonable course of action is for the FCC to continue to accept and process applications as quickly as possible.

Sincerely,

Dennis W. Hagny
General Manager - NRCTV